

Fax 615 214 7406

BellSouth Telecommunications, Inc.

333 Commerce Street Suite 2101 Nashville, TN 37201-3300 25ch Jan - 7 Guy M. Hicks General Counsel

T.R.A. DOCKET 63621436161

guy hicks@bellsouth com

January 7, 2004

VIA HAND DELIVERY

Hon. Deborah Taylor Tate Chairman Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, Tennessee 37243-0505

Re:

Approval of the Amendment to the Interconnection Agreement Negotiated by BellSouth Telecommunications, Inc. and DSLnet Communications, LLC Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.

Docket No. <u>04-0005</u>

Dear Chairman Tate:

Pursuant to Section 252(e) of the Telecommunications Act of 1996, DSLnet Communications, LLC and BellSouth Telecommunications, Inc. are hereby submitting to the Tennessee Regulatory Authority the original and fourteen copies of the attached Petition for Approval of the Amendment to the Interconnection Agreement dated January 10, 2003. The Amendment adds rates and modifies Attachment 4 - Collocation to reflect Power Reduction.

Thank you for your attention to this matter.

Sincerely yours,

Guy M. Hicks

Wendy Bluemling, DSLnet Communications, LLC cc:

BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In re:

Approval of the Amendment to the Interconnection Agreement Negotiated by BellSouth Telecommunications, Inc. and DSLnet Communications, LLC Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996

Docket	No.		
--------	-----	--	--

PETITION FOR APPROVAL OF THE AMENDMENT TO THE INTERCONNECTION AGREEMENT NEGOTIATED BETWEEN BELLSOUTH TELECOMMUNICATIONS, INC. AND DSLNET COMMUNICATIONS, LLC PURSUANT TO THE TELECOMMUNICATIONS ACT OF 1996

COME NOW, DSLnet Communications, LLC ("DSLnet") and BellSouth Telecommunications, Inc., ("BellSouth"), and file this request for approval of the Amendment to the Interconnection Agreement dated January 10, 2003 (the "Amendment") negotiated between the two companies pursuant to Sections 251 and 252 of the Telecommunications Act of 1996, (the "Act"). In support of their request, DSLnet and BellSouth state the following:

- 1. DSLnet and BellSouth have successfully negotiated an agreement for interconnection of their networks, the unbundling of specific network elements offered by BellSouth and the resale of BellSouth's telecommunications services to DSLnet. The Interconnection Agreement was approved by the Tennessee Regulatory Authority ("TRA") on March 3, 2003.
- 2. The parties have recently negotiated an Amendment to the Agreement which adds rates and modifies Attachment 4 Collocation to reflect Power Reduction. A copy of the Amendment is attached hereto and incorporated herein by reference.
- 3. Pursuant to Section 252(e) of the Telecommunications Act of 1996,
 DSLnet and BellSouth are submitting their Amendment to the TRA for its consideration

and approval. The Amendment provides that either or both of the parties are authorized to submit this Amendment to the TRA for approval.

- 4. In accordance with Section 252(e) of the Act, the TRA is charged with approving or rejecting the negotiated Amendment between BellSouth and DSLnet within 90 days of its submission. The Act provides that the TRA may only reject such an agreement if it finds that the agreement or any portion of the agreement discriminates against a telecommunications carrier not a party to the agreement or the implementation of the agreement or any portion of the agreement is not consistent with the public interest, convenience and necessity.
- 5. DSLnet and BellSouth aver that the Amendment is consistent with the standards for approval.
- 6. Pursuant to Section 252(i) of the Act, BellSouth shall make the Agreement available upon the same terms and conditions contained therein.

DSLnet and BellSouth respectfully request that the TRA approve the Amendment negotiated between the parties.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

By:

Guy M. Hicks

333 Commerce Street, Suite 2101

Nashville, Tennessee 37201-3300

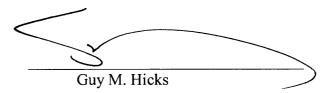
(615) 214-6301

Attorney for BellSouth

CERTIFICATE OF SERVICE

I, Guy M. Hicks, hereby certify that I have served a copy of the foregoing Petition for Approval of the Amendment to the Interconnection Agreement on the following via United States Mail on the day of , 2004:

Wendy Bluemling Assistant Vice President DSLnet Communications, LLC 5th Floor 545 Long Wharf Drive New Haven, Connecticut 06511



AMENDMENT TO THE AGREEMENT BETWEEN DSLNET COMMUNICATIONS, LLC AND BELLSOUTH TELECOMMUNICATIONS, INC. DATED JANUARY 10, 2003

Pursuant to this Amendment, (the "Amendment"), DSLnet Communications, LLC ("DSLnet") and BellSouth Telecommunications, Inc. ("BellSouth"), hereinafter referred to collectively as the "Parties", hereby agree to amend that certain Interconnection Agreement between the Parties dated January 10, 2003 ("Agreement") shall be deemed effective from the date of the last signature.

WHEREAS, BellSouth and DSLnet entered into the Agreement on January 10, 2003, and;

NOW THEREFORE, in consideration of the mutual provisions contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby covenant and agree as follows:

- 1. Attachment 4, Collocation, Section 7, is hereby amended to add new Sections 7.8.8-7.8.10 as follows:
 - 7.8.8 BellSouth will revise recurring power charges to reflect a power reduction upon BellSouth's receipt of the Power Reduction Form from DSLnet certifying the completion of the power reduction, including the removal of the power cabling by DSLnet's BellSouth Certified Supplier.
 - 7.8.9 If DSLnet desires to reduce the amount of power that it has requested from BellSouth, DSLnet must submit a Subsequent Application for this power reduction. If no other modifications to the Collocation Space are requested other than the reduction in power, the Power Reduction Only, Application fee, as set forth in Exhibit B will apply. If other modifications are requested in addition to the reduction of power, the Subsequent Application Fee will apply. BellSouth will bill the appropriate nonrecurring application fee on the date BellSouth provides an Application Response to DSLnet.
 - 7.8.10 In Alabama and Louisiana, if DSLnet is currently served from the BellSouth main power board and requests that its power be reconfigured to connect to a BellSouth BDFB in a specific central office, DSLnet must submit a Subsequent Application to BellSouth. A response to such application will be provided by BellSouth within seven (7) calendar days and no application fee will apply for the initial power reduction at each "BellSouth Premises" in which DSLnet is currently collocated.

- 2. The Parties agree that the Agreement between DSLnet and BellSouth is hereby amended to add to Attachment 4, Collocation, Exhibit D rates as set forth in Exhibit 1, attached hereto and incorporated herein by this reference.
- 3. All of the other provisions of the Agreement, dated January 10, 2003, shall remain in full force and effect.
- 4. Either or both of the Parties are authorized to submit this Amendment to the respective state regulatory authorities for approval subject to Section 252(e) of the Federal Telecommunications Act of 1996.

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment to be executed by their respective duly authorized representatives on the date indicated below

BellSouth Telecommunications, Inc.

DSLnet Communications, LLC

Name: PATRICK C. FINLEN

Title Asir Director

Date: 10/28/03

Name: 5-1 la H1/a

Title: SR. Mgk-Keg affairs

Date: 10/27/03

Power Reduction Amendment

5
÷
₹
4
₽
ā
nendment 4
ĭ
m
Ā
U.
SCCC
ç
\succeq

											¥	Attachment 4		Exhibit B	
RATE ELEMENTS	Intera 2		8	nsoc			RATES (\$)			Svc Order Submitted S Elec r per LSR	vc Order In ubmitted Aanually M per LSR (Svo Order Sv. Order Incremental Incremental Incremental Incremental Submitted Submitted Charge Charge Charge Charge Charge Biec Manual Svc Manu	Charge - fanual Svc I fanual Svc I Order vs	ncremental Charge - Aanual Svc Order vs Electronic- Disc 1st	Incremental Charge - Manual Svc Order vs Electronic- Disc Add'i
					200	Nonrecu	rring	Nonrecuring	Disconnect			OSS R	ates (\$)		
					nec	First	Add'i	First	Add'i	SOMEC	SOMAN	SOMAN	SOMAN	SOMAN	SOMAN
Physical Collocation - Power Reduction Only, Application Fee	-	CLO	PE	1PR		398 76									
	ELEMENTS Reduction Only, Application Fee	= = = = = = = = = = = = = = = = = = =	m Zone	m Zone BCS	m Zone BCS	m Zone BCS	m Zone BCS USOC Rec F	m Zone BCS USOC Rec Fi	m Zone BCS USOC Rec Fi	Add First Add First Add First Add Add Add First Add First Add Add	Add BCS USOC RATES (\$) First Add First Add Sconnect State Add State State	Add BCS USOC RATES (\$) First Add First Add Sconnect State Add State	Add BCS USOC RATES (\$) First Add First Add Sconnect State Add State State	Add BCS USOC RATES (\$) First Add First Add Sconnect State Add State State	Interination Across USOC RATES (\$) RATES (\$) Electronic Manual Svc Manual

	_
(•
•	
٠	ö
L	2
-	Ŀ
	č
	ŭ
	Ł
	C
	ς
	g
	٤
<	1
,	,
>	•
١	-
(_
Ò	

Page 2 of 9

COLLOCATION - Florida	ON - Florida											ă	Attachment 4		Exhibit B	
CATEGORY	RATE ELEMENTS	Intern	Zone	BCS	nsoc		æ	RATES (\$)			Svc Order Submitted Selec Elec per LSR	vc Order Ir ubmitted Aanually M per LSR	Charge - fanual Svc Order vs Electronic-	Svc Order Svc Order Incremental Incremental Incremental Incremental Submitted Submitted Charge - Charge - Charge - Elec Manual Svc M	Incremental Incremental Charge - Charge - Manual Svc Order vs Clectronic Electronic Disc 1st Disc Add'	Incremental Charge - Manual Svc Order vs Electronic- Disc Add'il
						Poc	Nonrecurring		Nonrecurring Disconnect	Disconnect			OSS F	OSS Rates (\$)		
						200	First	Add:	First	Addi	SOMEC SOMAN SOMAN	SOMAN	SOMAN	SOMAN	SOMAN	SOMAN
		••														
PHYSICAL COLLOCATION	LOCATION				,											
	Physical Collocation - Power Reduction Only, Application Fee	_		I.O	PE1PR		399 43									

Svc Order Svc Order Incremental Incremental Incremental Incremental Submitted Submitted Charge - Charg

SOMEC SOMAN SOMAN SOMAN SOMAN

Nonrecurring Disconnect First Add'i

Nonrecurring First Add'l

Rec

398 80

PE1PR

CLO

PHYSICAL COLLOCATION
| Physical Collocation - Power Reduction Only, Application Fee

RATES (\$)

OSOC

BCS

Inten Zone

RATE ELEMENTS

CATEGORY

COLLOCATION - Georgia

121	
•	
τ	5
ď	
ŧ	
ā	J
<u>E</u>	_
2	2
ā	ַ
5	
٩	
ď	?
7	Ś
۲	5

Page 3 of 9

2
7
7
Amendment
SCCS

Page 4 of 9

21/03
2003 07/
Version

	COLLOCATION															
201100	or - helitachy											Atta	Attachment 4	<u> </u>	Exhibit B	
CATEGORY	RATE ELEMENTS	Intern	Zone	BCS	nsoc			RATES (\$)			Svc Order Svc Order Incremental Incremental Incremental Incremental Submitted Submitted Charge Charge Charge Charge Elec Manual Svc	Order Incr mitted Ch nually Man LSR On Elec	Charge Order vs Order vs Order vs Electronic Electronic Electronic Add'l Disc 1st Disc Add'l	Incremental In Charge - Manual Svc M Order vs Electronic - Add'l	Charge Charge Charge Manual Svo Order vs Cletronic Electronic Disc 1st Disc 1st Charge	Charge - Manual Svc Order vs Electronic-
	The state of the s					u d	Nonrec		Nonrecuring Disconnect	g Disconnect			OSS Rates (\$)	(\$) sa		
	AND THE PARTY OF T					201	First	Add'	First	Add'i	SOMEC SOMAN SOMAN	MAN SC	S NAMC	-	SOMAN	SOMAN
PHYSICAL COLLOCATION	LOCATION														1.	T
	Physical Coltocation - Power Reduction Only, Application Fee	-	ō	07	PE1PR		399 50						T			
												_	_			-

Page 5 of 9

ij

/03
7/21
003
2
ersion

COLLOCAI	COLLOCATION - Louisiana		:									Atta	Attachment 4	Ш	Exhibit B	
CATEGORY	RATE ELEMENTS	Intern	Zone	BCS	nsoc			RATES (\$)			Svc Order Svc Order Incremental Incremental Incremental Submitted Charge - Charge	omitted Control Maily Maily Mail	Charge Order vs Order vs Order vs Charge Electronic Electronic Electronic Add'l Disc 1st Disc Add'l	Cremental II Charge - anual Svc M Order vs ectronic- II	Incremental Charge - Manual Svc Order vs Electronic- Disc 1st	Incremental Charge - Manual Svc Order vs Electronic- Disc Add'l
						000	Nonre	Nonrecurring	Nonrecurring Disconnect	Disconnect		,	OSS Rates (\$)	es (\$)		
			_			ב ב	First	Add'i	First	Add'I	SOMEC SOMAN SOMAN SOMAN	OMAN S	OMAN	SOMAN	SOMAN	SOMAN
PHYSICAL CC	HYSICAL COLLOCATION													+		
	Physical Collocation - Power Reduction Only, Application Fee	_	O	CLO	PE1PR		398 76									

Page 6 of 9

33
/21
07
8
×
Sio
e,

COLLOCATIO	MLCCATION - Mississippi											Atta	Attachment: 4	E	Exhibit. B	
CATEGORY	RATE ELEMENTS	Intern m	Zone	BCS	nsoc			RATES (\$)			Svc Order Svc Order Incremental Incremental Incremental Submitted Submitted Charge Charge Charge Charge Charge Blec Manual Svc Manual Ma	Order Incremented Change Man	Incremental Incremental Incrementa Incrementa Charge - Charg	inarge - inarge - inarge - inarge - inarge - inarge vs rder vs ectronic - Add'i	Charge - Charge - Ianual Svc Order vs Electronic- Disc 1st	benitted Submitted Charge - Ch
						0	Nonre	Nonrecurring	Nonrecuring Disconnect	Disconnect			OSS Rates (\$)	es (\$)		:
						עפר	First	Add'l	First	Add:I	SOMEC SOMAN SOMAN SOMAN	MAN SC	MAN	SOMAN	SOMAN	SOMAN
PHYSICAL COLLOCATION	LLOCATION												1	T		
	Physical Collocation - Power Reduction Only, Application Fee	-		CLO	PE1PR		398 76									

Page 7 of 9

COLLOCATIO	COLLOCATION - North Carolina											¥	Attachment: 4	_	Exhibit B	
CATEGORY	RATE ELEMENTS	Intern	Zone	BCS	nsoc			RATES (\$)			Svc Order Submitted (Elec per LSR	Svc Order Ir Submitted Manually M per LSR	Svc Order Svc Order Incremental Incremental Incremental Incremental Submitted Submitted Charge - Charg	Charge - Aanual Svc Order vs Electronic-	Charge - Cha	Incremental Charge - Manual Svc Order vs Electronic- Disc Add'l
							Nonre	Nonrecuring	Nonrecurning Disconnect	3 Disconnect			OSS Rates (\$)	ates (\$)		
						אפנ	First	Add'l	First	Add'i	SOMEC SOMAN	SOMAN	SOMAN	SOMAN	SOMAN	SOMAN
PHYSICAL COLLOCATION	OCATION															
	Physical Collocation - Power Reduction Only, Application Fee	-	อ	O.	PE1PR		399 13									

Page 8 of 9

21/03
3 07/
on 200
Versi

COLLOCATIO	COLLOCATION - South Carolina											4	Attachment 4		Exhibit B	
CATEGORY	RATE ELEMENTS	Inten	Zone	BCS	nsoc			RATES (\$)			Svc Order Submitted S Elec per LSR	vc Order Svc Order Ir ubmitted Submitted Elec Manually N per LSR per LSR	Charge - Charge - Aanual Svc P Order vs Electronic-	Svc Order Svc Order Incremental Incremental Incremental Incremental Submitted Submitted Charge - Charg	Incremental Charge - Manual Svc Order vs Electronic- Disc 1st	Incremental Charge - Manual Svc Order vs Electronic- Disc Add'l
						000	Nonrec	Nonrecurring	Nonrecurring Disconnect	9 Disconnect			OSSR	OSS Rates (\$)		
						Vec	First	Add'i	First	Add'i	SOMEC	SOMAN	SOMEC SOMAN SOMAN SOMAN	SOMAN	SOMAN	SOMAN
PHYSICAL COLLOCATION	LLOCATION															
	Physical Collocation - Power Reduction Only, Application Fee	-	CLO		PE1PR		400 33									

Svc Order Svc Order Incremental Incremental Incremental Incremental Submitted Submitted Charge - Charg

SOMEC SOMAN SOMAN SOMAN SOMAN SOMAN

Nonrecurring Disconnect First Add'l

Add'I

Nonrecuring First

Rec

400 10

PE1PR

PHYSICAL COLLOCATION
| Physical Collocation - Power Reduction Only, Application Fee

RATES (\$)

nsoc

BCS

Zone nter E

RATE ELEMENTS

CATEGORY

COLLOCATION - Tennessee

Page 9 of 9

- (
c	\
ç	-
*	=
,	
Amondanah	L
•	
	÷
τ	
0	
7	'n
- 2	=
- 8	-
	7
•	t
	,
u	
0000	
:	٠,
C	
ī	•
٠,	
-	-